

In re: Dausch, et al.
Appl. No.: To be assigned
Filed: Herewith
Page 8 of 8

Version With Markings to Show Changes Made:

In the Specification:

Please amend the title as follows:

**MINIATURE ELECTRICAL RELAYS USING A PIEZOELECTRIC THIN FILM
AS AN ACTUATING ELEMENT[, AND METHODS OF FABRICATING SAME]**

In the Claims:

Please cancel Claims 9-18.

Please amend claim 1 as follows:

1. (Amended) A microelectronic relay comprising:

a support structure, wherein the support structure includes a continuous planar section having a first portion and a second portion;

a first contact mounted on [a] the first portion of the support structure, wherein the first contact comprises an upper surface and a lower surface, and wherein the lower surface is adjacent the first portion of the support structure; and

a second contact mounted on [a] the second portion of the support structure and [deformable] comprising an upper surface and a lower surface, wherein at least one portion of the second contact is planar with respect to the first contact [for selectively engaging the first contact], and wherein at least a portion of the lower surface of the second contact is directly opposite from the upper surface of the first contact,

wherein a piezoelectric actuator [coupled to the second contact,] is deposited on the upper surface of the second contact for [wherein the piezoelectric actuator selectively deforms] selectively deforming the second contact relative to the first contact such that the lower surface of the second contact selectively engages the upper surface of the first contact.

REMARKS

Applicants have filed herewith a continuation application comprising a complete copy of Application No. 09/448,080 (the 'parent application'), as originally filed on November 23, 1999.

By this amendment, Applicants amend the accompanying application to include an incorporation-by-reference of the parent application, and cancels Claims 9-18. Applicants further amend the title to reflect the cancellation of the method claims, and amends independent Claim 1 to further distinguish the present invention from prior art cited in the parent application.

More specifically, the final Office Action in the parent application rejected Claims 1-7 under 35 U.S.C. § 102(a) as being clearly anticipated by Kipke, Taniguchi, Kolm and Gauatter. Further, the Office Action rejected Claim 8 under 35 U.S.C. § 103(a) as obvious in light of Kipke, Taniguchi or Kolm. As discussed in detail below, the amended independent claim includes recitations that patentably distinguish the claimed invention over the cited references, taken either individually or in combination. As such, Applicants respectfully request allowance of the present application.

A. Amendments to Independent Claim 1

Independent Claim 1 is shown below with markings to illustrate the differences between the amended claim and Claim 1 as it existed immediately prior to the last Office Action.

1. (Amended) A microelectronic relay comprising:

a support structure, wherein the support structure includes a continuous planar section [portion] having a first portion and a second portion;

a first contact mounted on the first portion of the support structure, wherein the first contact comprises an upper surface and a lower surface, and wherein the lower surface is adjacent the first portion of the support structure; and

a second contact mounted on the second portion of the support structure and [deformable] comprising an upper surface and a lower surface, wherein at least one portion of the second contact is planar with respect to the first contact [for selectively engaging the first contact], and